

REMARKS

Claims 1-20 are pending. Claims 14-20 are withdrawn from consideration. Claims 1-8 are rejected. Claims 9-13 are objected to.

Claims 1 and 7 are currently amended.

Claim Objections

Claim 7 is objected to because it does not provide antecedent basis for the "movable mass." Applicant has amended claim 7 to clarify its language and overcome this objection.

Claims 9-13 are objected to for depending from a rejected claim (claim 8). In remarks below, applicant explains that claim 8 is in condition for allowance. Thus claims 9-13 are similarly in condition for allowance.

Claim Rejections Under 35 U.S.C. § 112

Claim 7 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant has amended claim 7 to correct an error that mistakenly referred to the second driver element as the first driver element, as defined by claim 1. The applicant further removed reference to the first capacitive plate being located on the torsion arm. Applicant believes claim 7 as amended overcomes the examiner's rejection under 35 U.S.C. § 112. Applicant further believes that the amendment to claim 7 cures the examiner's objection to the drawings and makes amendments thereto unnecessary.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, and 4-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Neukermans et al., U.S. Patent 6,122,394 (Neukermans) and Ueda et al., U.S. Patent No. 6,262,827 (Ueda).

Applicant has amended claim 1 to specify that the first and second actuator elements are operable to rotate the scan plate about the first axis of rotation responsive to the first and second driver elements. Applicant notes the examiner has not

shown Neukermans or Ueda to provide a first electromagnetically coupled driver element and a second capacitively coupled driver element that are operable to rotate a scan plate about a common axis of rotation. Applicant submits that claim 1 as amended is now in condition for allowance. Insofar as claims 2 and 4-7 depend from an allowable claim, they too are now in condition for allowance.

Claims 3 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Neukermans et al., U.S. Patent 6,122,394 and Ueda et al., U.S. Patent No. 6,262,827, in further view of Izeke et al. (Izeke), JP 2000147419. Applicant notes that claim 1 (from which claim 3 depends) as amended specifies first and second actuator elements are operable to rotate the scan plate about the first axis of rotation responsive to the first and second driver elements. As noted above, neither Neukermans nor Ueda discloses such an arrangement. Izeke similarly does not disclose such an arrangement. Thus claim 3 is also in condition for allowance for reasons similar to those given for claim 1.

With respect to claim 8, Applicant respectfully disagrees with the examiner. Claim 8 specifies movement of the moveable body about a pivot axis. Both the comb drive and the magnetic coil are specified to produce torque about the pivot axis. The examiner has not shown Neukermans, Ueda, or Izeke, individually or in combination, to disclose a comb drive and a magnetic coil arranged to produce torque about a common pivot axis. Applicant suggests that claim 8 is not anticipated by the cited art and is therefore in condition for allowance.

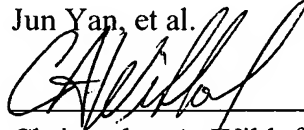
Applicant believes this amendment and remarks to be fully responsive to the Office Action dated June 17, 2005. It is respectfully submitted that the claims are now in condition for issuance. Applicant respectfully requests the Examiner to grant issuance with claims as now amended. The Examiner is invited to call Mr. Chris Wiklof at (425) 415-6641 with any issues that may advance prosecution of the application on the merits. Applicant submits that no new matter is being submitted.

Application No. 10/700,279
Amendment Dated September 16, 2005
Reply to Office Action Dated June 17, 2005

The Commissioner is authorized to charge any fees due by way of this
Amendment, or credit any overpayment, to our Deposit Account No. 50-0284.

Respectfully submitted,

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Enclosures:

Postcard

Transmittal Form PTO/SB/21

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